

A public hearing of the Jefferson Proving Ground Restoration Advisory Board meeting was held at the South Ripley Elementary School, Versailles, IN at 7:00 P.M. on November 6, 2002.

OPENING STATEMENTS BY MR. PAUL CLOUD:

Okay. Good evening. I'd like to welcome everyone to the Jefferson Proving Ground Restoration Advisory Board meeting for November 6th. We have a copy of all the handouts/slides that you will see tonight. There's a sign in sheet. I encourage you to sign in so that if you're not on our mailing list or if your address has changed we can keep our mailing list up to date to provide additional information and notification of when other meetings or information will be available. I'm Paul Cloud. I work for the Army. I'm the Environmental Coordinator for the Proving Ground and the Army's co-chair for the Restoration Advisory Board. I'd like to welcome everyone here tonight and as we get on through the meeting if there are any questions please feel free to ask whenever you want or we have a comment/discussion period at the end. Those are all the welcoming introductory comments I have.

1 Richard Hill, the community co-chair, he's in the audience.
2 Richard, do you have any welcoming comments or
3 introduction?
4

5 **MR. RICHARD HILL:**

6 Thank you Paul. I'd like to say hi to
7 everyone here tonight and welcome them. And I don't have
8 any other comments right now.
9

10 **MR. PAUL CLOUD:**

11
12 Okay with that let's go to the next slide
13 which shows our meeting agenda for this evening (showing).
14 We have a discussion on the property transfers and
15 Findings of Suitability to Transfer and then the - an
16 updated status on the termination of the Depleted Uranium
17 License and points of contact. And again as you can see
18 there we have an open discussion period and then any
19 closing remarks. Two (2) Findings of Suitability to
20 Transfer that we have for discussion tonight are the
21 Airfield Parcel and the Northeastern Parcel. The Airfield
22 Parcel, as I think everyone is aware, has been out around
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1 for comments more than once. We've gone through that
2 entire process now. The document in its final form is
3 actually up being reviewed and it was sent up for that
4 Final Review and hopeful concurrence of signature in
5 August. One (1) of the things that have delayed that
6 signature review, as you may notice on your handouts and on
7 the projection here, we have a new template and logo.
8 There has been a reorganization within the Army on
9 facilities, logistics, real estate management and
10 environmental. And that has impacted a number of things.
11 Needless to say it has also impacted the review schedule
12 on this Airfield FOST. It is my hope based on
13 conversations I've had this week that a final determination
14 on whether or not that document is satisfactory will be
15 made this week or next. And as soon as I know I will make
16 sure that Richard knows and we will mail out copies of the
17 Final FOST assuming it's signed to all the RAB members.
18 And if not then we have to do some additional work and then
19 we'll identify that and go from there. Just to remind you
20 this shows you the outline of the Airfield Parcel. It's
21 about seven hundred and thirty (730), seven hundred and
22 fifty (750) acres. The next parcel we have is the

1 Northeastern Area Parcel about four hundred and sixty-five
2 (465) acres. It has thirty-nine (39) buildings. We've
3 gone through a process of ah some analysis of the residual
4 soil potential for contamination due to the UXO Clearance
5 in this area. We put the Draft FOST out at the August 14th
6 RAB meeting. Have in fact received comments from the
7 State, the Indiana Department of Environmental Management,
8 the Environmental Protection Agency Region Five and the
9 Community. I am currently working on responses to those
10 comments. The estimated date is December. That may in
11 fact slip until early next year based on just the holiday
12 period and the fact that things tend to slow down towards
13 the end of the year. But as soon as we do have that it
14 will be put out for either concurrence or identification
15 about standing issues and there will be a time frame of
16 probably at least two (2) weeks or more to see that plus
17 there will be responses to all of the comments from the
18 organizations/entities that we have received those comments
19 from with a revised document. And there will be some
20 changes to the document. I can say that with certainty
21 right now.

1 **MR. RICHARD HILL:**
2 What kind of changes?
3
4 **MR. PAUL CLOUD:**
5 Still working on it.
6
7 **MR. RICHARD HILL:**
8 Okay.
9
10
11 **MR. PAUL CLOUD:**
12 Some of them are clarifications. Some of
13 them are expansions and providing more detailed
14 information.
15
16 **MR. RICHARD HILL:**
17 Un-huh (yes).
18
19 **MR. PAUL CLOUD:**
20 Ah this shows the parcel. There was one
21 (1) comment that was made that we've received. I'm not
22 sure whether or not this will find its way into the FOST or
23
24

1 not but this provides some information regarding the
2 location of the area that was identified within the parcel
3 that had a potential for unexploded ordnance. So this is
4 some additional information that we felt would be
5 appropriate to provide. Now whether or not, again as I say
6 whether or not this is put in the FOST or not we haven't
7 decided yet. But it felt - we felt it necessary to at
8 least identify that area where the UXO potential had been
9 and where the clearance action was performed.

10
11 **MS. KAREN MASON-SMITH:**

12 Paul excuse me. Go back to the map.

13 **MR. PAUL CLOUD:**

14 Sure. Yes ma'am?

15
16 **MS. KAREN MASON-SMITH:**

17 Those numbers, are those building numbers?

18
19 **MR. PAUL CLOUD:**

20 The real tiny ones?

21
22 **MS. KAREN MASON-SMITH:**

1 Yes.

2

3 **MR. PAUL CLOUD:**

4 Yes they are building numbers.

5

6 **MS. KAREN MASON-SMITH:**

7 And in the FOST in one (1) of the
8 enclosures all the building numbers are identified
9 specifically and they show the square footage and what the
10 prior usage had been when the Proving Ground was active.

11

12 **MS. KAREN MASON-SMITH:**

13 Okay.

14

15 **MR. PAUL CLOUD:**

16 Now there is - I think it is enclosure two
17 (2) or three (3) to the FOST.

18

19 **MS. KAREN MASON-SMITH:**

20 Un-huh (yes).

21

22 **MR. PAUL CLOUD:**

23

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1 Does that answer your question?
2
3 **MS. KAREN MASON-SMITH:**
4 Yes.
5
6 **MR. PAUL CLOUD:**
7 Okay.
8
9 **MS. ANNE ANDREASEN:**
10 I have a question.
11
12 **MR. PAUL CLOUD:**
13 Yes ma'am?
14
15 **MS. ANNE ANDREASEN:**
16 Are any buildings in that area currently
17 being used?
18
19 **MR. PAUL CLOUD:**
20 It's - Ken you might be able to answer that
21 question more. I think Mr. Ford - this area is - this area
22 is part of the Lease in Furtherance of Conveyance to the
23
24

1 Ford Lumber and Building Supply Company. I think some of
2 the former ammunition igloos, which are in this area in the
3 loop right there, I think he's leased out a couple of those
4 for storage. But I'm not sure whether or not there are any
5 other buildings being used right now by Mr. Ford or not.

6
7 **MR. KEN KNOUF:**

8 No.

9
10 **MR. PAUL CLOUD:**

11 Just the igloos for storage?

12
13 **MR. KEN KNOUF:**

14 The others - yes. A couple of the igloos
15 for storage.

16
17 **MR. PAUL CLOUD:**

18
19 It's my understanding that there are some
20 problems with just routine storage in those igloos because
21 of the high humidity. It tends to grow mold. But I know
22 that some people have you know stored excess you know

1 household goods or things that they must put someplace
2 other than their basement and their garage in some of those
3 igloos. But that's the only thing I know of. Any other
4 questions? Next topic I would like to bring you up to date
5 on is the termination of the Depleted Uranium License. The
6 Army provided the Revised Termination Plan and
7 Environmental Reports to the Nuclear Regulatory Commission
8 the end of June this year. The documents have been posted
9 on the JPG website. We did in fact send copies of all -
10 both the documents to the entire JPG mailing list which
11 numbers in excess of two hundred (200). The NRC started
12 their review of the documents. They essentially had, as I
13 understand it, ninety (90) days. As you see - as you will
14 see on the next two (2) slides after this one (1) is their
15 expanded time scale for this that they have asked us to
16 continue to provide for information to the community. Just
17 last month in a letter dated 1 October, the NRC provided
18 formal notification that the documents had in fact passed
19 Acceptance Review and that they were now commencing their
20 more detailed Technical Review. So we have in fact
21 answered the questions that they posed last year that
22 caused them to reject the plan and now they have passed the

1 Acceptance Review criteria and they are commencing their
2 detailed Technical Review.

3
4 **MS. DIANE HENSEL:**

5 Paul?

6
7 **MR. PAUL CLOUD:**

8 Yes.

9
10 **MS. DIANE HENSEL:**

11 What sort of documents do you anticipate
12 that they might ask for now?

13
14 **MR. PAUL CLOUD:**

15 The only thing that they have asked for to
16 date were copies of a number of the references within
17 either the Environmental Report or the Decommissioning
18 Plan. That is the only thing they have asked for to date.

19 I have no experience as to what they may ask for in the
20 future. We'll just have to wait and see. But all they
21 have really asked for - I think the most major thing they
22 asked for was copies of the Remedial Investigation south of

1 the firing line. I think they were looking at that, and
2 this is my personal impression, as kind of a generic
3 general feel for some of the geological and ground water
4 and other environmental situations present but further
5 south on the Proving Ground. We did in fact provide all of
6 that to them.

7
8 **MS. DIANE HENSHEL:**

9 In other words there's evidence that there
10 might be carse there or that there might be some other --

11
12 **MR. PAUL CLOUD:**

13 I don't know. They just asked for the
14 information. It was referenced. They had a right to ask
15 for it since we referenced it and used it in both the
16 documents so we provided it to them. What their rationale
17 and reasoning we didn't get into that.

18
19 **MS. DIANE HENSHEL:**

20 Okay.

21
22 **MR. PAUL CLOUD:**

1 What was interesting though when they made
2 the first request is they wanted a hard copy of everything.
3 And I asked them how big is your desk in your office
4 because as you know the RI is multiple volumes. And we
5 were able to give them a lot of the stuff in electronic
6 form so that probably decreased the storage space. But
7 they did get a lot of hard copy stuff too.

8

9 **MS. DIANE HENSHEL:**

10 Can you send me a digital form of all that
11 stuff since you've got it?

12

13 **MR. PAUL CLOUD:**

14 I think you have the digital form of
15 everything.

16

17 **MS. DIANE HENSHEL:**

18 I don't think I have a CD rom of it all.

19

20 **MR. PAUL CLOUD:**

21 Well if you don't then Richard should have.

22

23

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1 **MR. RICHARD HILL:**
2 I don't.
3
4 **MS. DIANE HENSHEL:**
5 Do you have a CD rom of all the documents?
6 **MR. RICHARD HILL:**
7 The Final RI.
8
9 **MR. PAUL CLOUD:**
10 That's in digital.
11
12 **MR. RICHARD HILL:**
13 That's things that are on the CD rom.
14
15 **MS. DIANE HENSHEL:**
16 Yeah I don't think everything is on it.
17
18 **MR. PAUL CLOUD:**
19 I'll check and see. I'll check and see.
20
21 **MR. RICHARD HILL:**
22 There's one (1) of these that is not all on
23
24

1 there.

2

3 **MS. DIANE HENSHEL:**

4 Yeah. I don't think it's all on there.

5

6 **MR. PAUL CLOUD:**

7 I'll see what - I'll see what it is and
8 we'll see what we can get you. I know that the NRC did get
9 considerable bulk volume paper material also besides you
10 know what they got electronically. I think most of the
11 electronic stuff was the most recent ah material.

12

13 **MS. DIANE HENSHEL:**

14 It would also be nice because periodically
15 I try to look through the site trying to find some of the
16 back documents that are referred to and I keep hoping that
17 more of them are going to be put on the site.

18

19 **MR. PAUL CLOUD:**

20 Actually the contractor, SAIC, has been
21 tasked and the contractor awarded and they are working on
22 converting the Administrative Record into an electronic

23

24

1 form.

2

3 **MS. DIANE HENSHEL:**

4 That will be nice.

5

6 **MR. PAUL CLOUD:**

7 That will be posted on the website.

8

9

10 **MS. DIANE HENSHEL:**

11 Including all the phases of the Risk
12 Assessments and stuff?

13

14 **MR. PAUL CLOUD:**

15 Everything that's in the Admin Record.

16

17 **MS. DIANE HENSHEL:**

18 Oh that would be nice.

19

20 **MR. PAUL CLOUD:**

21 We're talking hundreds of thousands of
22 pages.

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MS. DIANE HENSHEL:

Yeah I know.

MR. RICHARD HILL:

I believe it.

MS. DIANE HENSHEL:

Yeah I know. But that's not the point. But every now and then when you're trying to find something it would be so much nicer to search through it and do it that way.

MR. PAUL CLOUD:

They came up to Aberdeen a couple of weeks ago and showed me a preview of what they were working on. And they've tried to keep individual files and stuff to a smaller size in the one (1) to two (2) megabyte size just in case you've got a slow dial up modem that you won't be there forever. But there's going to be a lot of material. And they're talking one (1) to two (2) gigabytes of space right now and it's going to grow.

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MS. DIANE HENSHEL:

That's okay.

MR. PAUL CLOUD:

I don't have any problem with it. Does that answer your question?

MS. DIANE HENSHEL:

Yeah that would be helpful.

MR. PAUL CLOUD:

Well we're working on it. This - let's get to this slide and the next one (1) is just a reprint of the schedule that the NRC provided to us earlier this year that we have showed at the last couple of RAB meetings. There have been no changes to this other than you can see now where they have actually conducted what I would consider - completed the first two (2) steps which is the Revised Decommissioning Plan and Acceptance Review and the Environmental Report Acceptance Review and that has been done. So you can probably put a "C" on those two (2) for

1 complete. And they're now into the Technical Review phase
2 and that will probably take quite a while. But that's
3 their schedule. If you have any specific questions I would
4 strongly encourage you to get in touch with their point of
5 contact, Dr. Thomas Mclaughlin. He has a toll free number
6 and also E-mail address. And there's his mailing address
7 if you want to contact him for any specific more detailed
8 questions or comments you might have.

9
10 **MR. RICHARD HILL:**

11 I do have a specific question that I'm
12 going to ask anyway.

13
14 **MR. PAUL CLOUD:**

15 Go ahead.

16 **MR. RICHARD HILL:**

17 Just to see. Do you know what the two (2)
18 phases of the Technical Review are?

19
20 **MR. PAUL CLOUD:**

21 No I do not.

1 **MR. RICHARD HILL:**

2 What are the two (2) phases?

3

4 **MR. PAUL CLOUD:**

5 No I do not.

6

7 **MR. RICHARD HILL:**

8 I haven't heard that before as far as I can
9 recall.

10

11 **MR. PAUL CLOUD:**

12 Tom and I may have discussed that back in
13 January-February when he first gave the schedule to me but
14 if he did it escapes me now. I was more concerned in
15 making sure that the Army got the documents to them when we
16 said which was the end of June and that they would accept
17 them which ultimately they have. But no I don't know what
18 the differences are between the two (2). It may be that it
19 goes from one (1) office to another within their
20 organization for you know specifics but I really don't
21 know. I mean I could be close or I could be completely
22 wrong you know. It might be a benefit to give them a call

23

24

1 or send them an E-mail and just ask them.

2

3 **MR. RICHARD HILL:**

4 I will.

5

6 **MR. PAUL CLOUD:**

7 Diane you had a question?

8

9 **MS. DIANE HENSHEL:**

10 I have a question for Karen.

11

12 **MR. PAUL CLOUD:**

13 Go ahead.

14

15 **MS. DIANE HENSHEL:**

16 And that is if NRC falls flat on the metal
17 toxicity issues because they come out on the site of - they
18 are approp - they address radioactivity only, does EPA - is
19 EPA now then allowed to step in? What happens
20 administratively or what can happen in terms of the various
21 regulatory over site to address this?

22

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1 **MS. KAREN MASON-SMITH:**

2 We should probably be able to. But again
3 it's not clear. I think we've gone through this before.

4

5 **MS. DIANE HENSHEL:**

6 Yeah but I'm just sort of wondering whether
7 - because we're a step closer so I had to bring it up.

8

9 **MS. KAREN MASON-SMITH:**

10 Right. I mean if it's a - if it's a
11 hazardous waste - you said metal? That's a hazardous
12 waste. Then we would be - you know --

13

14 **MS. DIANE HENSHEL:**

15 So at that point - so once NRC has dropped
16 the ball you can step in?

17

18 **MS. KAREN MASON-SMITH:**

19 Probably but we would work with NRC because
20 you have to understand, you know I keep saying the same
21 thing, NRC is the lead.

22 **MS. DIANE HENSHEL:**

23

24

1 Right.

2

3 **MS. KAREN MASON-SMITH:**

4 Lead regulatory agency. So we would work
5 together. But if NRC is not addressing the - the
6 constituents, the chemical constituents, you know we would
7 get involved and that would be a coordination. You know I
8 mean there would have to be some sort of coordination so I
9 can't give you a straight answer. But I think I'm
10 answering the question.

11

12 **MS. DIANE HENSHEL:**

13 Right.

14

15 **MS. KAREN MASON-SMITH:**

16 We would be involved.

17

18 **MS. DIANE HENSHEL:**

19 I guess what I'm wondering is where that
20 stepping in takes place? When I look at the Gantt Chart.

21

22 **MS. KAREN MASON-SMITH:**

23

24

1 Un-huh (yes).

2 **MS. DIANE HENSHEL:**

3 I - because I want this on record here.

4

5 **MS. KAREN MASON-SMITH:**

6 Yeah and see I don't know. You know I'm
7 kind of like Paul with this. I have never gone through
8 this process but it's a little - JPG is a little bit
9 different I think because it's not on the national priority
10 list.

11

12 **MS. DIANE HENSHEL:**

13 Right.

14

15 **MS. KAREN MASON-SMITH:**

16 So I think I've said this before too in the
17 past --

18

19 **MS. DIANE HENSHEL:**

20 Just keeping this on the record.

21

22 **MS. KAREN MASON-SMITH:**

23

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1 Right. We're still - I mean we would be
2 involved but again remember that this is a non NPL site.
3 So you know - does that make sense?

4 **MS. DIANE HENSHEL:**

5 Yeah sort of.

6

7 **MS. KAREN MASON-SMITH:**

8 The state - the IDEM would be involved
9 because they are the lead ah regulatory agency for non NPL
10 sites. However EPA does have some authority in concurring
11 or non-concurring on sampling work plans. So you know
12 somehow we would fit in there.

13

14 **MS. DIANE HENSHEL:**

15 Okay. If we're now in the Phase One (1)
16 Technical Review step could the citizens request that the
17 NRC, IDEM and EPA get together with us to discuss this
18 issue?

19

20 **MS. KAREN MASON-SMITH:**

21 Yes you can. And I think that would be a
22 good idea.

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MS. DIANE HENSHEL:

Okay.

MR. PAUL CLOUD:

I would suggest that at least initially ah that type of involvement be made to the NRC directly. It is my understanding --

MS. DIANE HENSHEL:

You don't think it would be a letter to all three (3) agencies?

MR. PAUL CLOUD:

I would - I would suggest or recommend that you send a letter to NRC and cc the State and the EPA. It is my understanding that during the Technical Review that the NRC will identify what they call coordinating agencies and I think EPA and the State would fall under those categories. But that's the NRC's determination. And that during their Technical Review of not only the

Decommissioning Plan but the Environmental Report, there would be a degree of coordination with whoever they identify as cooperating/coordinating agencies. Again that is the NRC's call. If you have specific questions or want to get clarification on that I would strongly recommend that you call Dr. McLaughlin and he should be able to provide that information.

MS. KAREN MASON-SMITH:

Diane to add one (1) more thing to your question or to try to answer it, if you go back and read the NCP, the National Contingency Plan.

MS. DIANE HENSHEL:

Right.

MS. KAREN MASON-SMITH:

There is - it is written in there for NPL or non NPL that EPA does have the authority to concur or not concur - I mean have concurrence authority. So again when we get involved at that stage we would be involved.

MS. DIANE HENSHEL:

1 Okay. But you know one (1) of the other
2 thing is we've been holding off but we're not in Technical
3 Review so it seems like now is the time to bring up this
4 question again.

5

6 **MS. KAREN MASON-SMITH:**

7 Right. And pretty much - I haven't gone
8 through this before but my understanding from talking to
9 let's see what's his name, Dr. McLaughlin, this would be
10 the stage when EPA, they would want us to get involved.

11

12 **MS. DIANE HENSHEL:**

13 Okay.

14

15 **MS. KAREN MASON-SMITH:**

16 So again they're the lead regulatory
17 agency. We who would work with them. I mean it's not
18 something that EPA would just jump out there and do
19 themselves.

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21 **MS. DIANE HENSHEL:**

22 Okay.

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MS. KAREN MASON-SMITH:

My understanding is that you know they're
expecting to - to come to us for input.

MS. DIANE HENSHEL:

This might facilitate it? Such a request
might facilitate that request?

MS. KAREN MASON-SMITH:

Sure. I think that's fine.

MS. DIANE HENSHEL:

Okay.

MS. KAREN MASON-SMITH:

I think it's great.

MR. PAUL CLOUD:

Any other comments or questions?

MR. RICHARD HILL:

Just as a point of case then I believe that

1 the NRC is planning to complete its Technical Review by
2 October of 2004. I don't know if you've mentioned that or
3 not.

4
5 **MR. PAUL CLOUD:**

6 No. In fact I was about to say that.

7
8 **MR. RICHARD HILL:**

9 So you don't have to count it out. That's
10 what we're looking at there. That seems like a long time
11 to me but then as I go through it I can understand why it
12 would take a long time. So I don't know if that's usual or
13 unusual. I really don't know.

14 **MR. PAUL CLOUD:**

15 My understanding is that that two (2) years
16 is specific to the Decommissioning Plan. Now I'm sure that
17 in parallel they will be doing similar work on the
18 Environmental Report.

19
20 **MR. RICHARD HILL:**

21 I agree.

1 **MR. PAUL CLOUD:**

2 And that the NRC will also be performing
3 their NEPA requirements and ah an Environmental Impact
4 Statement or whatever sub-set of that that they feel is
5 necessary. Again specifics would be best directed to them
6 as to what level they are anticipating. It's my
7 expectation based on what I've heard from them that they
8 are anticipating an Environmental Impact Statement and that
9 should run parallel with the Technical Review of both the
10 documents. But again specifics would be best addressed to
11 them.

12

13 **MS. KAREN MASON-SMITH:**

14 So they started the Technical Review period
15 October 1st?

16 **MR. PAUL CLOUD:**

17 Approximately yes. That's my
18 understanding.

19

20 **MS. KAREN MASON-SMITH:**

21 And in the EIS stage during this
22 development do you know if they are required to have a

23

24

1 public meeting?

2

3 **MR. PAUL CLOUD:**

4 My understanding is they will follow the
5 NEPA requirements like anyone else and they will have
6 scoping meetings, public meetings. Ah not to put words in
7 their mouth but it is my understanding that they intend to
8 hold multiple public meetings because of the size of the
9 facility and the fact that it does encompass three (3)
10 counties. Again specifics would be best directed to Dr.
11 McLaughlin and if he can't answer I'm sure he could refer
12 to one (1) of their environmental people. But that's my
13 understanding. Now that may have changed since we haven't
14 talked about it in considerable time. But the last time we
15 did talk about that process, their process, that was what I
16 came away with. When they commenced that step which would
17 be after the Administrative or Acceptance Review and they
18 got into the EIS that they would be holding multiple public
19 meetings and scoping meetings and things of that nature
20 which is a standard NEPA process. Questions? Comments?
21 You have that look Richard.

22

23

24

1 **MR. RICHARD HILL:**

2 It's okay. Just go on. I'm thinking but
3 go ahead.

4

5 **MR. PAUL CLOUD:**

6 Okay. Again this slide hasn't changed and
7 it does indicate that the NRC is anticipating to hold
8 public meetings dates, times, places you know under their
9 determination. I'm sure they will notify everyone. They
10 have been given a copy of the JPG mailing list so they know
11 all of the people that I typically send things out for the
12 Army. They probably have augmented that but if you want to
13 ask questions on that again you would have to ask - you
14 know contact them directly. And here in this first sub-
15 bullet re-emphasizes what Richard said. The anticipated
16 completion date for the Technical Review is October of
17 2004. And that was in a notification from the NRC to Save
18 the Valley and the Army. This is just a blown up version
19 probably a little more easily legible, readable for the
20 NRC's point of contact information, the mailing address,
21 the person Dr. Thomas McLaughlin, his phone number, his
22 toll free toll phone number and his E-mail address. Again

23

24

1 if you have any questions of whatever nature I would highly
2 encourage you to contact Dr. McLaughlin and get his
3 feedback.

4
5 **MR. RICHARD HILL:**

6 And on that note I would urge anyone who is
7 interested in continuation of the monitoring and things
8 like that to get ahold of Dr. McLaughlin. He's a very easy
9 person to talk to. And he's a good listener. And I just
10 wanted to point that out.

11
12 **MR. PAUL CLOUD:**

13 Thank you Richard. Currently this is still
14 the Army's point of contact, Ms. Joyce Kuykendall. She's
15 our Radiation Safety Officer. And this is her phone
16 number. She also has a toll free phone number you can call
17 with her extension, her fax number, E-mail address that we
18 have set up specific for the DU decommissioning and her
19 regular mail address. She is currently the Radiation
20 Safety Officer. Because of the re-organization I mentioned
21 earlier it's unclear as to what her future involvement will
22 be but until I'm notified otherwise she is the point of

1 contact for this issue.

2

3 **MR. KEN KNOUF:**

4 Paul do you have any feelings for whether
5 that responsibility will be shifted to say somebody at Ft.
6 Knox?

7

8 **MR. PAUL CLOUD:**

9 I have no idea.

10

11 **MR. KEN KNOUF:**

12 No feeling whatsoever?

13

14 **MR. PAUL CLOUD:**

15 I have no idea. Personally I would find
16 that at least initially confusing and complicating.
17 Doable, certainly. But it might complicate issues for a
18 period of time. Anyone who would be assigned the duties
19 that Joyce has had for the last three (3) years would take
20 a considerable amount of time to read through the material
21 and come out to the facility, get the tour and wade through
22 everything and to be brought up to speed as to the

23

24

specifics and the details of this particular license,
proposed license termination. As I said it could be done.

I would recommend against it. No one has proposed anything of that nature currently but it is possible that she might be replaced. I've heard a couple of potentials but nothing of any specific nature yet.

MS. DIANE HENSHEL:

And is this - are they going to change the website? I'm just thinking about my links.

MR. PAUL CLOUD:

What website? The Jefferson website?

MS. DIANE HENSHEL:

Yeah.

MR. PAUL CLOUD:

In what way?

MS. DIANE HENSHEL:

Well because if it's not SBCCOM anymore.

1

2

MR. PAUL CLOUD:

3

4

My - the short answer right now in the near
future is no.

5

6

MS. DIANE HENSHEL:

7

Great.

8

9

MR. PAUL CLOUD:

10

The website will stay on the SBCCOM server.

11

12

If it gets changed we will insure that any links are still
functional.

13

14

MS. DIANE HENSHEL:

15

For a long time to come.

16

17

MR. PAUL CLOUD:

18

19

But right now there has been no indication
that it will not stay on that server.

20

21

MS. DIANE HENSHEL:

22

Okay.

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MR. PAUL CLOUD:

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MS. DIANE HENSHEL:

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MR. PAUL CLOUD:

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MS. JAMIE DeWITT:

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MR. PAUL CLOUD:

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MS. JAMIE DeWITT:

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As I said if the Admin - when the Admin
Record gets added we're going to have a lot more space
that's being used and no one has said they have a problem
with that.

Okay.

General comments, questions? Jamie you've
been pretty quiet. I'm surprised.

I don't normally say much.

Well --

I'm just listening and taking it all in.

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MR. PAUL CLOUD:

Sometimes you do. Most of the time you
don't. Kevin?

MR. KEVIN HERRON:

Paul would you like to give an update on
the RI status, the RI and then where we go from here into
the FS and what the FS actually is?

MR. PAUL CLOUD:

Thank you.

MR. KEVIN HERRON:

So it's identified in this.

MR. PAUL CLOUD:

Yes I would. I was hoping you would ask
that question. The Final RI came out in September of this
year. We are in the Army currently working on the
Feasibility Study. Now the Feasibility Study is the next
step or the next document in the CERCLA or the process that

1 is being used to evaluate potential options for how the
2 sites that are going forward for cleanup will be addressed.

3 Whether or not there will be treatment, what types of
4 treatment are analyzed and evaluated from a number of
5 different perspectives. And that's all specified as Karen
6 identified in the NCP. There are nine (9) criteria that
7 you have to evaluate as far as feasibility and cost and
8 impact. And there's a whole number of things. And they
9 are discussed in the Feasibility Study and they are also
10 identified in the Feasibility Study. We in the Army are
11 currently looking at the internal Draft Review of that
12 document. I spent about two (2) hours on the phone this
13 morning with the Corps of Engineers and Montgomery Watson
14 who is our contractor looking at that first draft. As a
15 result of that we've identified a number of things that
16 need to be worked on still. I don't currently have an iron
17 clad schedule as to when the document will be put out for
18 public and regulatory review. I'm hopeful that it will
19 come up before the end of the year. I think at some
20 previous electronic mail messages you may have seen
21 indications to that effect but based on the comments and
22 the conversations we had today and the fact that we are

1 getting towards the end of the year and people are going to
2 be taking off it may impact us to the point where it may
3 not come out for public review until next year sometime,
4 hopefully no later than January but I will not know that
5 until we're a little further down the path. Karen?

6
7 **MS. KAREN MASON-SMITH:**

8 Paul do you have any future FOSTs that
9 you're expecting to submit in 2003?

10
11
12 **MR. PAUL CLOUD:**

13 I'm hopeful there will be.

14
15 **MS. KAREN MASON-SMITH:**

16 Okay.

17
18 **MR. PAUL CLOUD:**

19
20
21 The specific one would be the three hundred
22 (300) acre parcel on the west side of the Airfield. As you

1 know we have the Northeastern Parcel that has been out for
2 review. We've gotten comments and I'm working on that. I
3 expect that either in December or January the revised
4 document and the response to comments would come out on
5 that. But as far as brand new ones the only one (1) I'm
6 expecting next year right now would be on the three hundred
7 (300) acre parcel. There are a number of things that have
8 to occur before that FOST would come out. I'll give you
9 those details now. I should have back in my office when I
10 get back the draft copy of the UXO Clearance Report for
11 that area which as you know that work has been completed,
12 field work has been completed. That report has to be final
13 and we have to have a signed Statement of Clearance that
14 the Army accepts for that parcel. That is one (1) thing
15 that has to happen before the FOST for that parcel comes
16 out. The second thing that has to come out is that we have
17 tasked the Louisville Corps of Engineers with doing a
18 wetlands delineation for that parcel along with a number of
19 other parcels that they didn't have access to because of
20 UXO potential. And they have done that. I have seen the
21 Draft Report for this the hundred (300) acre parcel but I
22 have not gotten a final letter certifying those results

1 yet. So that's another thing we need to have done. And
2 then lastly what I need is the Final Report that we will
3 get from the U.S. Fish and Wildlife Service. We tasked
4 them and paid them to go out and do a revised endangered
5 species critical habitat survey for those areas south of
6 the firing line that they had not had access to because of
7 the potential for UXO in those areas previously. As you
8 are probably all aware the approximate twenty-two hundred
9 (2200) acres that the Army identified as having a potential
10 for UXO south of the firing line have all been cleared now.

11 So as a result of that we felt it prudent to have the
12 wetlands delineation done in those areas where no one had
13 access before and to have the Fish and Wildlife Service
14 update their 1996 letter on endangered species and habitat
15 in those areas. So that's the third thing we need. Once I
16 have all three (3) of those things and the Army has as
17 clear a picture as they can on what potential reuse
18 restrictions on that parcel would be, it is our intent to
19 present that information to Mr. Ford and the Jefferson
20 County commissioners and offer them one (1) last
21 opportunity to see if they can come to a mutually agreeable
22 resolution as to who would get the property and under the

1 Army's reuse restrictions be able to reuse it. The details
2 and the specifics as to the total reuse restrictions have
3 not been identified yet because I don't have those
4 documents in final form and we haven't internally in the
5 Army discussed any other things that we feel might be
6 reasonable to apply to that parcel. But once we've done
7 that, and I expect that will probably happen sometime early
8 next year, then I would make that request. Now I may - if
9 they hold the meeting I may or may not attend. You know
10 that would be at their discretion whether they even want to
11 meet, whether they would want me to be there or not as the
12 Base Transition Coordinator or not. But it's - it's
13 important that they at least have that opportunity to take
14 one (1) last look at it based on what the Army feels is
15 going to be the minimum reuse restrictions on that parcel.

16 Then they will either come back to us and say we agree
17 with this, although it wouldn't be binding on the Army, I
18 think it would go a long way in helping the Army make that
19 decision if they could come to a mutual agreement. And if
20 they don't then it would be my expectation that I would be
21 tasked as the combination Environmental Coordinator and
22 Base Transition Coordinator to provide an analysis of their

1 individual requests and to make a recommendation and then
2 that would go up to the Pentagon and the ultimate decision
3 authority as my - as I understand it would be the Deputy
4 Assistant Secretary of the Environment for the Army.
5 That's Mr. Ray Fatz. That's my understanding. Now it may
6 be someone else but I don't think it would be at any lower
7 level. It could be. It could be the Commanding General
8 for the Installation Management, the ACSIM, the Assistant
9 Chief of Staff for Installation Management. That's a
10 gentleman by the name of Major General Lust, L-u-s-t. I
11 don't know when that decision will be made but I expect it
12 will be made in the Pentagon by at least one (1) of those
13 two (2) individuals.

14
15 **MS. KAREN MASON-SMITH:**

16 So do you have a - I know you don't know
17 but do you have a tentative date for the three hundred and
18 forty-three (343) acres, the wooded parcel?

19
20 **MR. PAUL CLOUD:**

21 I would expect that assuming we get the
22 three (3) documents in final form and identify any other
23

1 reuse restrictions on that parcel that probably early next
2 year we would look at trying to get the county and Mr. Ford
3 together, that probably by the end of the first quarter of
4 2003 that would hopefully be done and that by the end of
5 the second quarter about the end of May, sometime in June
6 possibly, that there would be a recommendation sent up to
7 the Pentagon for them to consider and to make a decision
8 on. But that's all tentative right now. But that's a
9 ballpark estimate. But that's my estimate.

10
11 **MS. KAREN MASON-SMITH:**

12 May, 2003 or --

13
14 **MR. PAUL CLOUD:**

15 Approximately. I mean what's ironic is I
16 just had that same exact question asked by a gentleman that
17 works in the DA BRAC office in the Pentagon yesterday.
18 Because he wanted to know also what the status was and what
19 needed to be done. And I basically told him well we need
20 the UXO Clearance Report and the Statement of Clearance
21 done. We need the endangered species critical habitat
22 survey results done and any impact that that might have.

1 We also need the wetlands survey completed. And then I
2 need to set down with the county and Mr. Ford or have them
3 sit down if they want or tell me that they can't or have
4 reached some mutual agreement and present that. And then
5 do an analysis and recommendation and proceed on. So I
6 gave him the exact same thing I just gave you yesterday.

7
8 **MS. DIANE HENSHEL:**

9 Can you - can you tell us what his concerns
10 were?

11
12 **MR. PAUL CLOUD:**

13 I think it's scheduling just like Karen's
14 interest I think is just what did I estimate the calendar
15 schedule form was? There wasn't any other indication of
16 specific concern or interest.

17
18 **MS. DIANE HENSHEL:**

19 Okay.

20
21 **MS. KAREN MASON-SMITH:**

22 When you - you stated that you have to
23

1 complete a UXO Clearance Report. I know you have to do a
2 Statement of Clearance. When you say a Clearance Report
3 what is that exactly? Is that - are you doing also a
4 residual soil sampling there?
5

6 **MR. PAUL CLOUD:**

7 That will - that will be part of it. Once
8 we know that the - the Clearance Report is the report from
9 the contractor that did the actual field work on the UXO
10 Clearance. And it's usually multiple volumes and the
11 volumes are usually three (3) or four (4) inches thick and
12 it shows - documents all their detailed field efforts, all
13 their sampling, all their log notes, all that - all the
14 pictures, everything. And usually they are fairly
15 voluminous. I think the shortest one (1) we have is
16 probably two (2) or three (3) volumes and each volume is
17 three (3) to four (4) inches thick. What happens once that
18 report is final is that the Huntsville Corps of Engineers
19 provides the one (1) page Statement of Clearance
20 referencing that report and making the recommendation as to
21 whether or not there should be any excavation restrictions
22 on that parcel based specifically for the UXO Clearance
23
24

1 effort that was done there. They make that recommendation.

2 It comes to the Army. The Army reviews it. If they agree
3 with that recommendation then they sign it and that's then
4 final. If they don't then it would go back and it would be
5 modified as the Army feels is necessary and then it would
6 be signed.

7
8 **MS. KAREN MASON-SMITH:**

9 Is that equivalent to the Final Removable
10 Report that we received for the other UXO parcels?

11
12 **MR. PAUL CLOUD:**

13 Well it is and it's not. It's usually
14 referenced in there but once - once the Final Clearance
15 Report is done and the Statement of Clearance is performed
16 then the Army, knowing that they don't have to do anything
17 more there, then I would go to the Corps of Engineers after
18 I've talked with you and Kevin about the residual soil
19 sampling issue, we would identify the number of samples
20 we're going to go take in that area and generally where and
21 the methods, the methodologies that we would use, which I
22 think is pretty straight forward, and then the Corps would

1 go out and take those samples, have them analyzed and we
2 would provide the results. And then if there are any
3 questions like there have been in the past then we would go
4 through that exercise to address, respond, resolve those
5 issues and then we would have that. And that would be the
6 last thing. As before I would not expect there to be an
7 issue there for a number of reasons. One (1) we haven't
8 had any in the past and two (2) specific to this area there
9 was nothing that was found that was of an explosive nature.

10 They did find one (1) or two (2) things that they did
11 perforate but they didn't have explosives in them. Now
12 there wasn't any --

13
14 **MS. KAREN MASON-SMITH:**

15 But how much scrap material did they have?

16
17 **MR. PAUL CLOUD:**

18 I have not seen the draft yet so I don't -
19 I don't have a ballpark number. I would estimate though if
20 it's similar to previous efforts it's probably several
21 thousand pounds but I haven't seen the report yet so I
22 don't know. And scrap could be as innocuous as Farmer

1 Jones' plow or baling wire or sheet metal or it could be
2 inert ordnance too. It's a combination of everything.
3 Jamie?

4
5 **MS. JAMIE DeWITT:**

6 I want to ask you a question since you've
7 put pressure on me to ask a question and maybe Ken can
8 better answer this. How many people have been visiting the
9 refuge and what types of activities have they been doing?

10 **MR. PAUL CLOUD:**

11 Ken has a better feel for that although the
12 really proper person to ask that, and there isn't anyone
13 here from Fish and Wildlife Service tonight. There's in
14 the middle of the deer hunt so they're really over worked
15 right now.

16
17 **MS. JAMIE DeWITT:**

18 At the refuge?

19
20 **MR. PAUL CLOUD:**

21 Yes. At the refuge. But Ken may have at
22 least a feel for that. Ken do you want to answer - see

1 what you can tell her?

2

3 **MR. KEN KNOUF:**

4 We're just about done with the bow hunting
5 which occurred over the last three (3) weeks and they were
6 probably averaging a good three hundred and fifty (350)
7 hunters a day. Bow harvest so far has been roughly two
8 hundred and twenty (220) deer which is pretty phenomenal
9 for the bow.

10

11

12 **MS. JAMIE DeWITT:**

13 How big are the deer?

14

15 **MR. KEN KNOUF:**

16 Ah average size. No monsters. Gun hunt
17 starts pretty soon and they're going to have - in fact this
18 weekend they're going to have four hundred (400) hunters on
19 Saturday and a whole different group of four hundred (400)
20 on Sunday. And they are - they're getting a lot of these.

21 Fishing was pretty good this year although I don't think
22 there were any days - we have a twenty (20) boat limit on

23

24

what they allow on the lake. As far as I know there were really very few days this summer where they had to turn away people. It seems like supply and demand are pretty much the same at this point.

MS. DIANE HENSHEL:

Are people coming in from far away?

MR. KEN KNOUF:

No.

MS. DIANE HENSHEL:

It's all local?

MR. KEN KNOUF:

Local. Regional. As far away as maybe Indianapolis seems to be about as far as the bow travel. Deer hunting is different than that. People are crazy.

MR. RICHARD HILL:

They come in from everywhere.

MR. KEN KNOUF:

1 Thank God they do.

2

3 MS. JAMIE DeWITT:

4 Is it a lottery?

5

6 MR. KEN KNOUF:

7 Everything is a lottery.

8

9 MS. DIANE HENSHEL:

10 So we get out of state - well of course we
11 get Kentucky.

12

13 MR. KEN KNOUF:

14 Buckeyes.

15

16 MS. DIANE HENSHEL:

17 Ohio. Why wouldn't there be any deer hunts
18 in Ohio? There would only be deer?

19

20 MR. RICHARD HILL:

21 They just like to come over here.

22

23

24

1 **MR. BILL CORNING:**
2 Yeah come over here to kill our deer.
3
4 **MS. DIANE HENSHEL:**
5 And take them back with them too.
6
7 **MR. KEN KNOUF:**
8 Right.
9
10 **MR. BILL CORNING:**
11 Paul a couple of times we found a couple of
12 bucks that had been killed with their heads cut off.
13
14 **MS. DIANE HENSHEL:**
15 Oh you're kidding? That's awful.
16
17
18 **MR. KEN KNOUF:**
19 Are some of these folks aware that Big Oaks
20 is now a stand alone refuge? It's not complex with
21 Muscatatuck?
22
23
24

1 **MR. PAUL CLOUD:**

2 They may not be. Fish and Wildlife made
3 the decision earlier this year that their formal - official
4 I guess you might call it association with Muscatatuck was
5 not in I guess their best interest. So Big Oaks now is as
6 Ken has identified stand alone. They have their own "on
7 site management" that they're directly responsible to and
8 they follow the same I guess reporting chain that
9 Muscatatuck does up to the local offices, up to the region
10 and then their headquarters. So they're - they don't have
11 supervision per se as I understand it at Muscatatuck
12 anymore. It's right at the Proving Ground. Ma'am did you
13 have a question?

14

15 **MS. ANNE ANDREASEN:**

16 I had a question about the use of the
17 wildlife refuge. Is there - is it at all compatible to
18 have some sort of shooting range up there? I mean hunting
19 is a different matter. But ah I live down at the southern
20 end of the Proving Ground and we're dealing with ah a
21 business that Mr. Ford has allowed in as a shooting range
22 that you know impacts on our neighborhood tremendously.

23

24

1 And he's talked to us about needing to move it north but he
2 only controls up to the firing line.

3

4 **MR. KEN KNOUF:**

5 Right.

6

7 **MS. ANNE ANDREASEN:**

8 And he doesn't control that yet or he would
9 move it but I - I didn't - it doesn't seem to me it's
10 compatible use to put anything like that up in the fifty
11 thousand (50,000) other acres you know what's designed as
12 wildlife.

13

14 **MR. PAUL CLOUD:**

15 What --

16

17 **MS. DIANE HENSHEL:**

18 There is the old indoor range.

19

20 **MR. PAUL CLOUD:**

21 That's a different issue. Because what
22 she's referring to is skeet shooting.

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MS. ANNE ANDREASEN:

Skeet shooting yeah.

MR. PAUL CLOUD:

If Mr. Ford were to make that request he would have to first of all see if Fish and Wildlife Service had any problems with that because that area north of the firing line is a formal official national wildlife refuge.

MS. ANNE ANDREASEN:

Un-huh (yes).

MR. PAUL CLOUD:

And they would have to weigh in on that. Should they not have a problem with that, and that's a should, then Mr. Ford and the Fish and Wildlife Service would have to come to the Army because the Army still holds title to the property. They are the ultimate decision maker in that issue.

MS. ANNE ANDREASEN:

1 Right.

2 MR. PAUL CLOUD:

3 And they would have to come to us. Now I
4 would not expect that to occur.

5

6 MS. ANNE ANDREASEN:

7 Right. Well the reason that they're down
8 right on our back door is because that's the only part that
9 Mr. Ford is allowed to do it.

10

11 MR. PAUL CLOUD:

12 Granted.

13

14 MS. ANNE ANDREASEN:

15 As I understand it.

16

17 MR. PAUL CLOUD:

18 Well that's part of the reason. Also there
19 is not, as far as we are aware, any potential for
20 unexploded ordnance.

21

22 MS. ANNE ANDREASEN:

23

24

1 Right.

2

3

4 **MR. PAUL CLOUD:**

5 Once you go north of the firing line,
6 anywhere north of the firing line in theory has a potential
7 for UXO.

8

9 **MS. ANNE ANDREASEN:**

10 Which would mean?

11

12 **MR. PAUL CLOUD:**

13 And the Army would probably not look very
14 favorably on that particular type of proposal. But until
15 it's made any formal or official response is obviously
16 premature.

17

18 **MS. ANNE ANDREASEN:**

19 Right.

20

21 **MR. PAUL CLOUD:**

22 And personally I'm doubtful that Mr. Ford

23

24

1 would go - would go that route.

2

3 **MS. ANNE ANDREASEN:**

4 And it isn't technically his business.

5 It's someone he's allowing to use it.

6 **MR. PAUL CLOUD:**

7 Well he's leasing. He's allowing - it's

8 like a sub-lease. It's on his property.

9

10 **MS. ANNE ANDREASEN:**

11 Right.

12

13 **MR. PAUL CLOUD:**

14 And as long as he goes through whatever

15 local requirements apply to that then it's basically his

16 business. As long as it does not adversely impact the Army

17 property adjoining it then we don't get involved.

18

19 **MS. ANNE ANDREASEN:**

20 Right. Because we were told that they are

21 not allowed to fire so that the shot lands on our property.

22

23

24

1 **MR. PAUL CLOUD:**

2 I had a specific conversation with Mr. Ford
3 concerning that when I was made aware of that.

4

5 **MS. ANNE ANDREASEN:**

6 They're firing right towards our house.
7 I'm not blaming the Army at all you know. But you know
8 this is what we're dealing with from Mr. Ford.

9

10 **MR. PAUL CLOUD:**

11 I understand. Kevin?

12

13 **MR. KEVIN HERRON:**

14 Ultimately if he got the eight hundred
15 (800) acres over in the Southeast Parcel then something
16 like that could probably be moved over there and be much
17 safer to the public.

18

19 **MR. PAUL CLOUD:**

20 That might be.

21

22 **MR. KEVIN HERRON:**

23

24

Because of the trees and because of the way that area is maybe even at the old mortar field that was cleared out in that area.

MR. PAUL CLOUD:

There is some potential there. I'm not sure if there would be any restrictions that the Army might place on activities in that parcel before it's ready to transfer. Because that area has the open burn area and it has Gator nine, Gator Z and two (2) or three (3) RI sites it's unclear right now when the Army might propose that parcel for transfer. Because as it stands right now there would be significant doughnut holes that would have to be cut out. And as I think you and Karen are well aware we went through that exercise several years ago and I made a promise, not only to myself but to you guys, that we would try to avoid that whenever possible because it gets very difficult to define boundary areas around environmentally contaminated areas. So Mr. Ford has not expressed a real interest in getting that parcel right now unless it's intact. So we'll have to address that when we get a little closer.

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MR. KEVIN HERRON:

And have the residents gone before the
county commissioners on zoning issues?

MS. ANNE ANDREASEN:

Well we did and apparently it's zoned heavy
industrial and as far as we can tell our only point of
contention is the noise level.

MR. RICHARD HILL:

Probably right.

MS. ANNE ANDREASEN:

But there's no specific prohibition for
this use although there's some question as to whether or
not this is recreation or a business for shooting guns.

MR. PAUL CLOUD:

Well I think you've - you've addressed and
identified the points of contact that you have to, i.e. Mr.

1 Ford and the county and the zoning.

2

3 **MS. ANNE ANDREASEN:**

4 And the zoning people that I spoke to just
5 this evening and they weren't aware. For one (1) thing
6 there is no zoning process for this particular use of the
7 area so we were unaware of it until it started.

8

9 **MS. DIANE HENSHEL:**

10 He's just using this stuff without getting
11 zoning.

12

13

14 **MR. PAUL CLOUD:**

15 Zoning is a specific issue that's
16 applicable to the property once it's transferred.

17

18 **MS. ANNE ANDREASEN:**

19 Right.

20

21 **MR. PAUL CLOUD:**

22 When it's federal property zoning does not

23

24

1 apply.

2

3 **MS. ANNE ANDREASEN:**

4 Right.

5

6 **MR. PAUL CLOUD:**

7 And Mr. Ford and I have discussed that but
8 it is his obligation and responsibility once the property
9 is transferred and he is the Deed Title owner to obtain
10 whatever zoning, either variances or zoning identifications
11 that are required.

12

13 **MS. ANNE ANDREASEN:**

14 Right. But the only restriction the Army
15 would place on property would be related to excavation and
16 that's where you've had UXOs?

17

18 **MR. PAUL CLOUD:**

19 Well in the hundred (100) acre sub-section
20 south of the housing loop there is a four (4) foot
21 excavation restriction currently.

22

23

24

1 **MS. ANNE ANDREASEN:**

2 Okay.

3

4 **MR. PAUL CLOUD:**

5 Now we are evaluating whether or not we
6 think it's appropriate to lift that four (4) foot
7 excavation restriction because of the nature and extent of
8 what we found there. But currently as it stands there is a
9 four (4) foot excavation restriction for that hundred (100)
10 acre parcel south of the housing loop.

11

12 **MS. ANNE ANDREASEN:**

13 Okay.

14

15 **MR. PAUL CLOUD:**

16 Bill?

17

18 **MR. BILL CORNING:**

19 Paul I don't want to speak for Fish and
20 Wildlife but when we were volunteers at Muscatatuck, my
21 wife and I, one (1) day I showed up with a shotgun in the
22 back of the station wagon and I was reminded that you don't

23

24

1 take fire arms on the refuge except during hunting season
2 and you must have a permit to do it.

3

4 **MR. PAUL CLOUD:**

5 That's not surprising.

6

7 **MR. BILL CORNING:**

8 So I didn't get within shooting range.

9

10 **MS. ANNE ANDREASEN:**

11 Yeah and I don't particularly want them to.

12

13 **MR. PAUL CLOUD:**

14 Well there is a - there is a document that
15 exists. It's called the Memorandum of Understanding that
16 created the Big Oaks National Wildlife Refuge or allowed it
17 to be created. And in there there is an enclosure that is
18 entitled the Interim Use Plan by the Fish and Wildlife
19 Service.

20 **MS. ANNE ANDREASEN:**

21 Okay.

22

23

24

1 **MR. PAUL CLOUD:**

2 In there it identifies any activities that
3 the Fish and Wildlife Service has proposed to the Army.
4 Those have to be approved before they can occur. The only
5 change that has been made to that is that Ken mentioned
6 there's a twenty (20) boat limit on the lake. Initially it
7 was a smaller number. I think after the first year they
8 realized that they could safely increase that number and
9 decrease the amount of times or intervals where they would
10 have people that got turned away because they had reached
11 that limit. So they came to us under the process of that
12 MOU, and requested a change to increase that number up to
13 twenty (20). The Army reviewed it, found it acceptable and
14 agreed to that. It was signed and it is the only change
15 that has been made. Now if they want to do anything else
16 there is that mechanism for them to go through.

17

18 **MS. ANNE ANDREASEN:**

19 Okay.

20

21

22 **MR. PAUL CLOUD:**

23

24

1 Any other comments or questions?

2

3 **MR. RICHARD HILL:**

4 I've got some more questions about the
5 three hundred (300) acres in the Western Parcel.

6

7 **MR. PAUL CLOUD:**

8 Go ahead.

9

10 **MR. RICHARD HILL:**

11 Okay. Getting back for that just a moment.

12 Ah this could play out gosh in a number of ways. But two
13 (2) things that could happen: one (1) would be that the
14 county could get it and they would not have to pay for it.

15 They get it through Public Benefit Conveyance is that
16 correct?

17

18 **MR. PAUL CLOUD:**

19 That's my understanding. Yes. Correct.

20

21 **MR. RICHARD HILL:**

22 All right. Another possibility is that Mr.

23

24

1 Ford would get it. He would have to pay for it because
2 it's not on the original agreement for the rest of the
3 property south of the firing line?
4

5 **MR. PAUL CLOUD:**

6 That is also correct to my understanding.
7

8 **MR. RICHARD HILL:**

9 Okay. How much do we have to pay for it?
10

11 **MR. PAUL CLOUD:**

12 Unknown. All I know is what would happen
13 is once we have - when I say we, when the Army has
14 identified all of the reuse restrictions that could have an
15 adverse effect on a commercial value of the property.
16

17 **MR. RICHARD HILL:**

18 Okay.
19

20 **MR. PAUL CLOUD:**

21 Then the Corps of Engineers real estate
22 office would come in and do an appraisal. That figure is
23

1 not releasable. I wouldn't even know what it is.

2

3

4 **MR. RICHARD HILL:**

5 Okay.

6

7 **MR. PAUL CLOUD:**

8 They would then have that and they would go
9 to Mr. Ford and say - they wouldn't even tell him but they
10 would say this is what we're going to ask for it. Now it
11 would probably be at least what that appraisal is and it
12 would possibly be a little bit higher. I don't know. I
13 don't even know how that process works. All I know is they
14 do an appraisal and they would ask for at least that amount
15 of money.

16

17 **MR. RICHARD HILL:**

18 Right.

19

20 **MR. PAUL CLOUD:**

21 But the things that would affect that value
22 is the wetlands, the critical habitat endangered species

23

24

1 reports, the UXO Clearance and anything else the Army might
2 specify as a reuse restriction.

3
4 **MR. RICHARD HILL:**

5 Un-huh (yes).

6 **MR. PAUL CLOUD:**

7 But once we have all of that the Corps
8 would do their real estate appraisal and then throw in
9 those factors also and then come up with whatever number
10 and then they would notify Mr. Ford. That's assuming that
11 Mr. Ford, the Army decides to offer the property to Mr.
12 Ford.

13
14 **MR. RICHARD HILL:**

15 Okay.

16
17 **MR. PAUL CLOUD:**

18 I mean if the Army makes the decision for
19 someone else there would be no reason to even go through
20 that exercise.

21
22 **MS. ANNE ANDREASEN:**

1 I have an interesting point to make about
2 that. Because we just had a piece of property appraised
3 across the railroad out there.

4

5 **MR. RICHARD HILL:**

6 Right.

7

8 **MS. ANNE ANDREASEN:**

9 There's seventy-three (73) acres and
10 basically very wet and they evaluated it at a thousand
11 dollars (\$1,000) an area basically, seventy-two thousand
12 (\$72,000) dollars. And it's landlocked. It has no right
13 of access.

14

15 **MR. KEN KNOUF:**

16 Is there any timber value in it?

17

18 **MS. ANNE ANDREASEN:**

19 We've walked it with a fellow who used to
20 work for the Soil Conservation Department and knows timber
21 and he didn't see much of anything. And we walked with
22 someone in the timber business. He estimated ten (\$10,000)

23

24

1 to fifteen thousand dollars (\$15,000) tops, which is
2 nothing for that particular acreage.

3

4 **MR. RICHARD HILL:**

5 Not much.

6

7 **MS. ANNE ANDREASEN:**

8 Now I don't know if it's directly across
9 but it's right in that ballpark.

10 **MR. RICHARD HILL:**

11 Close.

12

13 **MS. ANNE ANDREASEN:**

14 I could look on a map and try to show you
15 but we were surprised that it was valued that high because
16 it's not developable essentially. They would allow one (1)
17 house on seventy-three (73) acres because there is not
18 adequate area for a septic.

19

20 **MR. RICHARD HILL:**

21 Well that's interesting. Do you know if
22 the Corps looked at timber value?

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MR. PAUL CLOUD:

They have discussed that issue. They actually did do a timber valuation. Ken, how long ago was that? That's one (1) of those things that you and I talked about.

MR. KEN KNOUF:

Fifteen (15) years ago.

MR. RICHARD HILL:

Okay.

MR. KEN KNOUF:

Probably not real current.

MR. PAUL CLOUD:

Depending on what reuse restrictions there might be that may or may not be a relevant issue.

MR. RICHARD HILL:

1 Right.

2

3 **MR. PAUL CLOUD:**

4 I mean if the Army feels that limited
5 timbering is okay then we would either drag out that
6 previous report or have it updated as necessary. If they
7 feel that that is not appropriate use then it's a moot
8 point.

9

10 **MR. RICHARD HILL:**

11 Un-huh (yes).

12

13

14 **MS. DIANE HENSHEL:**

15 Does the Army want to push this faster or
16 does the Army feel like sitting on this for a while?

17

18 **MR. PAUL CLOUD:**

19 The three hundred (300) acres?

20

21 **MS. DIANE HENSHEL:**

22 Yeah.

23

24

1
2 **MR. PAUL CLOUD:**

3 I think they understood that there was no
4 specific high priority identified reuse for the area based
5 on the fact that one (1) had potential UXO contamination,
6 two (2), potential for possible presence or proximity of
7 endangered species/critical habitat and third, the presence
8 of wetlands in that area. And because it was not part of
9 Mr. Ford's Lease in Furtherance of Conveyance and it was
10 off towards the more isolated area south of the firing had
11 it had low priority so it was done last. All right?
12 Secondly we knew that there were competing interests in
13 that there was unknown, and it's still not known, whether
14 or not there will be an agreeable resolution to that
15 multiple request. Thirdly we need - we needed to do the
16 wetlands survey and the endangered species critical
17 habitat. Because of all those things it was understood
18 that it was going to take time. Now I have not been given
19 a mandate or direction from anyone within my agency that
20 says you will have the stuff by this date. I'm sure they
21 don't want it to drag out another five (5) years. I think
22 as I indicated to Karen when we get those two (2) reports

1 and I can sit down or at least offer, identify to the
2 county and Mr. Ford the reasons which is allowing them this
3 land opportunity sometime the first quarter of next year
4 and then by the end of the second quarter have the results
5 of that meeting and my analysis and recommendation up to
6 them, then they will be more than satisfied. And probably
7 if that occurs at all, next year at all, it might not, but
8 if it starts to dragging two (2) or three (3) years then
9 they are probably going to become concerned. As you get
10 further in and you're going to get to the point where we
11 expect it to be done everything south of the firing line
12 including that three hundred (300) acres done by the time
13 we get down there south of the firing line.

14
15 **MS. KAREN MASON-SMITH:**

16 Are you expecting to be done by 2005?

17
18 **MR. PAUL CLOUD:**

19 The environmental restoration, yes. We
20 expect that it will probably take us approximately another
21 year after the Final Environmental cleanup is done before
22 all the properties south of the firing line will be

1 transferred. Right now our internal schedule shows
2 environmental - what we call RIP RC, Remedy in Place,
3 Restoration Complete for the area south of the firing line
4 to be done by the end of the fiscal year 2005, September
5 30, 2005. And then the property transfer will be complete
6 by the end of the calendar year 2006. Those are I think
7 reasonable right now. They might change a little bit but I
8 don't expect them to change much. It depends on how things
9 go. We might be able to cut some time off on the
10 environmental. It just depends on what we do and the
11 degree with what we do and how it's done. That's one (1)
12 of those things that will be a little clearer once we get
13 in and have the Feasibility Study out and that's the final,
14 then we'll know what we have to go do and just to have to
15 go do it. Kevin do you have another comment?

16
17 **MR. KEVIN HERRON:**

18 I've got two (2) things.
19

20 **MR. PAUL CLOUD:**

21 Sure.
22
23
24

1 **MR. KEVIN HERRON:**

2 You attended the UXO conference down in
3 Florida correct?

4

5 **MR. PAUL CLOUD:**

6 Yes.

7

8 **MR. KEVIN HERRON:**

9 Was there anything that came out of that
10 that would - that you saw to be very interesting?

11

12 **MR. PAUL CLOUD:**

13 Specific to JPG not a lot. And the reason
14 I say that is south of the firing line is done. The Army
15 has made a very conscious and public decision and it's not
16 changed that north of the firing line we're not going to
17 clean up the UXO. The current state of technology, the
18 adverse affect it would have on the area, personal safety
19 issues it would impose and the devastation and cost to the
20 environment and ecology. So the answer to your question is
21 south of the firing line, no. North of the firing line
22 currently I did not see anything. Next question.

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MR. KEVIN HERRON:

When you use controls, institutional controls, how is that a problem or do you see that being a problem with the Army as far as on JPG concerning like the ground water use, reuse, future monitoring, continued monitoring of the ground water?

MR. PAUL CLOUD:

As Karen probably knows there is on-going dialogue with the Department of Defense and the Environmental Protection Agency on that very specific issue as to whether or not range controls will be placed upon what is called Enforceable Bonds on the Records of Decision. EPA has one (1) prospective on that and the Department of Defense has another. Currently should we come to an Environmental Record of Decision that would address that issue, which we have not, we would have to address it at that time based on what the current positions of my agency are and whether or not EPA and the State have a problem or agree with that, we would have to adjust it at that time. The only times that we have addressed anything

1 of a Deed Restriction nature would be - has been when we
2 were identifying UXO excavation restrictions or identified
3 a parcel that is only good for industrial/commercial use
4 like some of the stuff that was formerly - stuff that was
5 subsequently sold to the Indiana Department of
6 Transportation by Mr. Ford. Those were not transferred to
7 Mr. Ford. They were transferred as industrial/commercial.
8 And that is how they are being used.

9
10 **MS. KEVIN HERRON:**

11 Well it's my understanding that the Air
12 Force attorneys have gotten very creative in their
13 interpretation of the NCP and SuperFund law. So I was just
14 wondering how that's kind of filtered out into the other
15 armed forces?

16
17 **MR. PAUL CLOUD:**

18 Well there was a - there was a hope and an
19 expectation that the benchmark case that was being
20 discussed between the Air Force and the Region and the EPA
21 down in Florida, and Karen I don't know if you know what
22 region that is, would have resolved that issue and allowed

1 other agencies within the Department of Defense, the Navy,
2 the Army, the Marine Corps, whatever, to follow that
3 decision. It's my understanding that there has been no
4 agreement on that particular phase and that right now they
5 are still being worked on. And there is no mutual
6 agreement. Any other comments or questions? We have this
7 page, the identification of when our next RAB meeting is
8 going to be, the first week of February at Jennings County
9 Public Library. And then this is the schedule for next
10 year. I don't think you will see it's much different. We
11 have four (4) meetings. They're spread out between
12 Madison-Jefferson County Public Library and Jennings County
13 Library and then Madison again and then we will be back
14 here about the same time next year. That's all I have for
15 the evening. If there are any other comments or questions
16 we can entertain them now. Again if you have not signed in
17 on the attendance sheet please do so. Take a copy of the
18 slides. If you have any additional comments or questions
19 you can either call me or you can call Ken Knouf, the site
20 manager out at the Proving Ground, the caretaker staff, and
21 then he will relay them to me. That's all I have for
22 closing remarks. Richard, do you have anything you would

1 like to add or something?

2

3 **MR. RICHARD HILL:**

4 Thank you very much. You can call me at
5 Ivy Tech in Madison. I mean that's where I usually am if
6 I'm not here. So that's about it. Thank you.

7

8 **MR. PAUL CLOUD:**

9 Thank you very much.

10 * * * * *

11 CONCLUSION OF HEARING

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C E R T I F I C A T E

STATE OF INDIANA)
) SS:
COUNTY OF JEFFERSON)

I, Sharon Shields, do hereby certify that I am a
Notary Public in and for the County of Jefferson, State of
Indiana, duly authorized and qualified to administer oaths;
That the foregoing public hearing was taken by me in
shorthand and on a tape recorder on November 6, 2002 in the
South Ripley Elementary School, Versailles, IN; That this
public hearing was taken on behalf of the Jefferson Proving
Ground Restoration Advisory Board pursuant to agreement for
taking at this time and place; That the testimony of the
witnesses was reduced to typewriting by me and contains a
complete and accurate transcript of the said testimony.
I further certify that pursuant to stipulation by and

between the respective parties, this testimony has been transcribed and submitted to the Jefferson Proving Ground Restoration Advisory Board.

WITNESS my hand and notarial seal this ____ day of
November, 2002.

Sharon Shields, Notary Public
Jefferson County, State of Indiana

My Commission Expires:

July 2, 2007